

UNCLASSIFIED

E97

SECRET

PAGE 01 BUENOS 05821 01 OF 05 011944Z
ACTION SCT-03

INFO	LOG-00	ACDA-17	ACDE-00	ARA-01	A-01	CA-02	CCO-00
	CIAE-00	OASY-00	DODE-00	DOEE-00	DS-00	EUR-01	FAAE-00
	FBIE-00	TEDE-00	INR-00	JUSE-00	LAB-01	L-01	ADS-00
	M-00	NSAE-00	NSCE-00	PM-00	P-01	SP-00	SSO-00
	SS-00	TRSE-00	USSS-00	ASDS-01	PMB-00	DSCC-00	PRMC-01
	DRL-09	G-00	/039W				

-----6E0FF6 011946Z /38

O 011947Z SEP 94

FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC IMMEDIATE 1783
INFO AMEMBASSY MONTEVIDEO
AMEMBASSY CARACAS
AMEMBASSY BRASILIA
AMEMBASSY ASUNCION
USCINCSO QUARRY HEIGHTS PM//SCCC//
AMEMBASSY SANTIAGO

RELEASED IN PART
B1, 1.4(D)

S E C R E T SECTION 01 OF 05 BUENOS AIRES 005821

FOR AMBASSADOR-DESIGNATE WILCOX FROM AMBASSADOR CHEEK

E.O. 12356: DECL: OADR
TAGS: PGOV, PREL, PTER, AR
SUBJECT: SCENESETTER FOR COUNTER-TERRORISM TEAM VISIT
TO BUENOS AIRES, SEPTEMBER 5 - 6

REF: BUENOS AIRES 5695

SECRET

SECRET

PAGE 02 BUENOS 05821 01 OF 05 011944Z

SUMMARY

1. (C) ARGENTINA IS VULNERABLE TO TERRORISM. THE ISRAELI EMBASSY AND AMIA BOMBINGS REFLECT BOTH THE GOA'S INVESTIGATIVE WEAKNESSES AND ITS LACK OF DEFENSIVE CAPABILITY AGAINST TERRORISM. EMBASSY'S OBSERVATION OF THE GOVERNMENT'S RESPONSE AND CONTACT WITH THE MAJOR PLAYERS IN ARGENTINA'S ANTI-TERRORIST

UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: NORMAN M BOUTON
CLASSIFICATION: SECRET REASON: 1.4(D)
DECLASSIFY AFTER: 31 AUG 2014
DATE/CASE ID: 18 DEC 2009 200906077

UNCLASSIFIED

UNCLASSIFIED

EFFORTS OFFER CONVINCING EVIDENCE OF THE GOA'S SERIOUSNESS AND DETERMINATION TO DO BETTER. GOA AUTHORITIES ARE SEEKING -- BUT HAVE NOT YET SUCCEEDED IN FORMING -- A COHERENT PLAN TO DEAL WITH THIS THREAT. THE GOVERNMENT IS INTERNALLY AT ODDS OVER WHAT MEASURES IT SHOULD TAKE IN RESPONSE TO THE PROBABLE IRANIAN COMPLICITY IN THE BOMBINGS HERE. THE VISIT OF THE WILCOX COUNTER TERRORISM TEAM COMES AT AN OPPORTUNE TIME. OUR PUBLIC STANCE SHOULD BE ONE OF UNSTINTING SUPPORT FOR A CLOSE FRIEND OF THE UNITED STATES WHICH FACES A THREAT WHICH IT IS DOING ITS BEST TO COUNTER. IN PRIVATE, WE SHOULD ENCOURAGE ARGENTINE OFFICIALS TO TAKE A HARD LOOK AT THE SYSTEMIC INADEQUACIES WHICH PLAGUE THEIR INVESTIGATIVE AND JUDICIAL EFFORTS, AND ORGANIZE OURSELVES TO OFFER ASSISTANCE IN FACING THE TERRORIST THREAT. END SUMMARY.

SECRET

SECRET

PAGE 03 BUENOS 05821 01 OF 05 011944Z
THE TERRORIST THREAT AS SEEN FROM ARGENTINA

2. (C) ARGENTINA IS VULNERABLE TO TERRORISM. TWO OF THE MAJOR ACTS OF INTERNATIONAL TERRORISM HAVE TAKEN PLACE IN BUENOS AIRES OVER THE PAST TWO YEARS. ON MARCH 17, 1992 AND JULY 18, 1994 BOMB EXPLOSIONS DESTROYED, RESPECTIVELY, THE ISRAELI EMBASSY AND THE JEWISH MUTUAL ASSOCIATION (AMIA) HEADQUARTERS. THE ATTACKS WERE SIMILAR IN SEVERAL WAYS: MASSIVE CAR BOMBINGS IN THE HEART OF THE CITY AIMED AT JEWISH TARGETS TIMED TO CAUSE MAXIMUM CASUALTIES. SIX WEEKS AFTER THE AMIA BOMBING ANOTHER SIMILARITY IS BECOMING PAINFULLY EVIDENT: GOA AUTHORITIES SEEM AT A LOSS TO PRODUCE HARD EVIDENCE TO LINK ANY PERSON OR GROUP TO THE BOMBINGS. IN BOTH CASES THE AUTHORITIES HAVE APPEARED TO MAKE A GOOD FAITH EFFORT TO FIND THOSE RESPONSIBLE -- BUT IN 1992 THEY FAILED UTTERLY AND IN 1994 THEIR EFFORTS ARE CLEARLY FALTERING.

3. (A) GOA AUTHORITIES ARE SEEKING -- BUT HAVE NOT YET SUCCEEDED IN FORMING -- A COHERENT PLAN TO DEAL WITH THIS THREAT. ESTABLISHING AN EFFECTIVE PLAN OF ACTION IS STYMIED BY, AMONG OTHER THINGS: TANGLED

UNCLASSIFIED

UNCLASSIFIED
LINES OF AUTHORITY, OVERLAPPING RESPONSIBILITIES, JURISDICTIONAL
TURF BATTLES AMONG THE VARIOUS POLICE AND SECURITY
SERVICES; FINANCIALLY STRAPPED MINISTRIES AND AGENCIES
WITH ILL-TRAINED AND UNDERPAID INVESTIGATORS; AN
ANTIQUE AND OVERWORKED COURT SYSTEM; AND A RIGID
LEGAL CODE THAT EFFECTIVELY ELIMINATES CRIME-FIGHTING
MEASURES SUCH AS PLEA BARGAINING WITH INFORMANTS.

SECRET

SECRET

PAGE 04 BUENOS 05821 01 OF 05 011944Z

4. (C) THE AMIA BOMBING REFLECTS BOTH THE GOA'S
INVESTIGATIVE WEAKNESS AND ITS LACK OF DEFENSIVE
CAPABILITY AGAINST TERRORISM. WHILE AN IRANIAN ROLE
IS WIDELY ASSUMED, HARD EVIDENCE IS LACKING AND THE
GOA CASE IS BASED LARGELY ON THE TESTIMONY OF THE
IRANIAN DEFECTOR MANOUCHER MOATAMER, WHO LACKS
CREDIBILITY BOTH LOCALLY AND INTERNATIONALLY.
ARGENTINE INVESTIGATORS HAVE COME UP WITH LITTLE OR NO
INFORMATION TO CORROBORATE MOATAMER'S ALLEGATIONS.

5. (C) THE GOVERNMENT IS INTERNALLY AT ODDS OVER WHAT
MEASURES IT SHOULD TAKE IN RESPONSE TO THE PROBABLE
IRANIAN COMPLICITY IN THE BOMBINGS HERE.

B1

[REDACTED] THUS,
WHILE PRESIDENT MENEM MAKES TOUGH-SOUNDING STATEMENTS
TO THE PRESS ABOUT IRAN'S ROLE, FOREIGN MINISTER DI
TELLA APPEARS ENGAGED IN A DAMAGE CONTROL EFFORT TO
PREVENT AN ESCALATION OF THE CURRENT WAR OF WORDS WITH
TEHERAN. TO A SIGNIFICANT EXTENT, IT HAS BEEN RECENT

SECRET

NNNN

UNCLASSIFIED

SECRET UNCLASSIFIED

PAGE 01 BUENOS 05821 02 OF 05 011945Z
ACTION SCT-03

INFO	LOG-00	ACDA-17	ACDE-00	ARA-01	A-01	CA-02	CCO-00
	CIAE-00	OASY-00	DODE-00	DOEE-00	DS-00	EUR-01	FAAE-00
	FBIE-00	TEDE-00	INR-00	JUSE-00	LAB-01	L-01	ADS-00
	M-00	NSAE-00	NSCE-00	PM-00	P-01	SP-00	SSO-00
	SS-00	TRSE-00	USSS-00	ASDS-01	PMB-00	DSCC-00	PRMC-01
	DRL-09	G-00	/039W				

-----6E1003 011946Z /38

O 011947Z SEP 94
FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC IMMEDIATE 1784
INFO AMEMBASSY MONTEVIDEO
AMEMBASSY CARACAS
AMEMBASSY BRASILIA
AMEMBASSY ASUNCION
USCINCSO QUARRY HEIGHTS PM//SCCC//
AMEMBASSY SANTIAGO

S E C R E T SECTION 02 OF 05 BUENOS AIRES 005821

FOR AMBASSADOR-DESIGNATE WILCOX FROM AMBASSADOR CHEEK

E.O. 12356: DECL: OADR
TAGS: PGOV, PREL, PTER, AR
SUBJECT: SCENESETTER FOR COUNTER-TERRORISM TEAM VISIT
TO BUENOS AIRES, SEPTEMBER 5 - 6

U.S. STATEMENTS ABOUT IRAN'S ONGOING SPONSORSHIP OF
SECRET

SECRET

PAGE 02 BUENOS 05821 02 OF 05 011945Z
TERRORISM THAT HAVE LEANT CREDIBILITY TO THE ALLEGED
IRANIAN COMPLICITY IN THE AMIA AND, BY EXTENSION, THE
ISRAELI EMBASSY, BOMBINGS. REFTEL PROVIDES MORE
EXTENSIVE TREATMENT OF THIS ISSUE.

6. (C) AN IMPORTANT FACTOR IN THE BROAD QUESTION OF
INTERNAL SECURITY IN ARGENTINA IS THE HISTORICAL
LEGACY OF REPRESSION BY THE ARMED FORCES AND SECURITY
SERVICES. ONE HIGH RANKING FOREIGN MINISTRY OFFICIAL
TOLD US RECENTLY THAT "STATE SECURITY" HAS BEEN A
TABOO SUBJECT AMONG ARGENTINES, AN ISSUE LINKED IN

UNCLASSIFIED

MANY MINDS WITH THE AUTHORITIES' "DIRTY WAR" **UNCLASSIFIED**
THE URBAN GUERRILLAS OF THE 1970S. THE COUNTRY'S LACK
OF INVESTMENT IN ITS POLICE AND OTHER SECURITY ORGANS
AND THE NUMEROUS RESTRICTIONS ON THEIR FREEDOM OF
ACTION ARE, IN PART, A REACTION AGAINST THEIR CONDUCT
15 OR 20 YEARS AGO. THE AMIA BOMBING HAS FOCUSED
ARGENTINES' ATTENTION ON THE NEED FOR WELL-TRAINED AND
EFFECTIVE SECURITY SERVICES TO SERVE IN DEFENSE OF THE
COUNTRY'S HARD WON DEMOCRATIC INSTITUTIONS.

7. (C) THE VISIT OF THE WILCOX COUNTER TERRORISM TEAM
COMES AT AN OPPORTUNE TIME. [REDACTED]

B1

[REDACTED] OUR RECOMMENDATIONS TO MAKE THE MOST
OF THIS OPPORTUNITY ARE IN PARAGRAPH 19. WE PROVIDE
BELOW ADDITIONAL MATERIAL AS BACKGROUND FOR THE TEAM'S
DISCUSSIONS HERE.

SECRET

SECRET

PAGE 03 BUENOS 05821 02 OF 05 011945Z

POLITICAL UPDATE

8. (C) ARGENTINA RATIFIED A NEW CONSTITUTION ON
AUGUST 24. WHATEVER MAY BE THE MERITS AND DRAWBACKS
OF THE FINAL DOCUMENT, THE THREE-MONTH PROCESS WHICH
RESULTED IN THIS NEW NATIONAL CHARTER IS EVIDENCE OF
THE STRENGTH OF DEMOCRATIC GOVERNMENT IN THIS
COUNTRY. ALL DEMOCRATIC POLITICAL GROUPS HAD A ROLE
IN DRAFTING THE DOCUMENT. FOR PRESIDENT MENEM, THE
NEW CONSTITUTION WILL ALLOW HIM TO RUN FOR OFFICE
AGAIN IN MAY 1995 AND, SHOULD HE WIN, REMAIN PRESIDENT
UNTIL 1999.

9. (C) THE SUCCESSFUL CONCLUSION OF THE
CONSTITUTIONAL CONVENTION IS, TO A DEGREE, A
VINDICATION OF MENEM'S DECEMBER 1993 "OLIVOS PACT"
WITH OPPOSITION LEADER, AND FORMER PRESIDENT, RAUL
ALFONSIN. THAT AGREEMENT, WHICH SET IN MOTION THE
CONSTITUTIONAL REFORMS, WAS CRITICIZED BY MANY
ARGENTINES AS A CYNICAL MANEUVER BY BOTH LEADERS. THE
APRIL ELECTION OF CONVENTION DELEGATES MARKED AN
EROSION OF MENEM'S POPULAR SUPPORT AND HE IS NOW

UNCLASSIFIED

CRAFTING A STRATEGY TO REGAIN THE POLITICAL INITIATIVE. FACTIONS OF LABOR ARE MOVING TO THE CENTER-LEFT BROAD FRONT, THE AMIA BOMBING HAS LEFT THE GOVERNMENT VULNERABLE TO CHARGES OF INCOMPETENCE, MENEM'S HAITI POLICY IS MEETING STIFF RESISTANCE, AND PUBLIC CYNICISM ABOUT CORRUPTION AND THE "SMOKE-FILLED ROOM" NATURE OF THE OLIVOS PACT ITSELF HAS DRAWN

SECRET

SECRET

PAGE 04 BUENOS 05821 02 OF 05 011945Z
ATTENTION AWAY FROM THE GOVERNMENT'S MAIN GOAL OF EMPHASIZING ITS ECONOMIC ACHIEVEMENTS. FOR MENEM PERSONALLY, ARGENTINA'S EIGHT MONTHS OF CONSTITUTIONAL REFORM END WITH HIM WEAKER THAN WHEN THE DEBATE BEGAN. HE IS STILL, HOWEVER, THE ODDS ON FAVORITE TO CONTINUE TO LEAD THE COUNTRY TO THE END OF THE DECADE.

A FOREIGN OR LOCAL THREAT, OR BOTH?

10. (C) THE ISRAELI EMBASSY AND AMIA BOMBINGS NOTWITHSTANDING, ARGENTINA IS LARGELY FREE OF POLITICAL VIOLENCE. THIS COUNTRY WAS ONCE THE SCENE OF DOZENS OF POLITICALLY-MOTIVATED KIDNAPPINGS, ASSASSINATIONS, AND BOMBINGS, AND AN UNRESTRAINED REACTION BY THE AUTHORITIES OF THAT DAY. TWENTY YEARS LATER, DEMOCRATIC GOVERNMENT HAS TAKEN ROOT IN ARGENTINA AND THERE ARE NO GROUPS THAT PRESENT ANY SIGNIFICANT THREAT TO IT. SMALL, INTERNALLY DIVIDED RADICAL GROUPS OF THE FAR LEFT AND THE FAR RIGHT EXIST, [REDACTED]

B1

SECRET

NNNN

UNCLASSIFIED

SECRET

UNCLASSIFIED

PAGE 01 BUENOS 05821 03 OF 05 011945Z
ACTION SCT-03

INFO	LOG-00	ACDA-17	ACDE-00	ARA-01	A-01	CA-02	CCO-00
	CIAE-00	OASY-00	DODE-00	DOEE-00	DS-00	EUR-01	FAAE-00
	FBIE-00	TEDE-00	INR-00	JUSE-00	LAB-01	L-01	ADS-00
	M-00	NSAE-00	NSCE-00	PM-00	P-01	SP-00	SSO-00
	SS-00	TRSE-00	USSS-00	ASDS-01	PMB-00	DSCC-00	PRMC-01
	DRL-09	G-00	/039W				

-----6E100D 011947Z /38

O 011947Z SEP 94
FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC IMMEDIATE 1785
INFO AMEMBASSY MONTEVIDEO
AMEMBASSY CARACAS
AMEMBASSY BRASILIA
AMEMBASSY ASUNCION
USCINCSO QUARRY HEIGHTS PM//SCCC//
AMEMBASSY SANTIAGO

S E C R E T SECTION 03 OF 05 BUENOS AIRES 005821

FOR AMBASSADOR-DESIGNATE WILCOX FROM AMBASSADOR CHEEK

E.O. 12356: DECL: OADR
TAGS: PGOV, PREL, PTER, AR
SUBJECT: SCENESETTER FOR COUNTER-TERRORISM TEAM VISIT
TO BUENOS AIRES, SEPTEMBER 5 - 6

SECRET

B1

SECRET

PAGE 02 BUENOS 05821 03 OF 05 011945Z

B1

UNCLASSIFIED

A TANGLED WEB OF SECURITY SERVICES

12. (C) AMONG PRESIDENT MENEM'S FIRST ACTS FOLLOWING THE AMIA BOMBING WAS TO NAME RETIRED AIR FORCE GENERAL ANTONIETTI AS HEAD OF A SECURITY DIRECTORATE WITHIN THE OFFICE OF THE PRESIDENCY. THE IDEA OF ESTABLISHING A SECURITY COORDINATOR HAD SURFACED IN RESPONSE TO THE RIOTS IN SANTIAGO DEL ESTERO BUT CONGRESSIONAL AND PUBLIC CRITICISM FORCED THE GOVERNMENT TO BACK DOWN. AFTER AMIA, THE IDEA WAS
SECRET

SECRET

PAGE 03 BUENOS 05821 03 OF 05 011945Z
REVIVED AND ANTONIETTI'S ASSIGNMENT TOOK ON A COUNTER-TERRORISM DIMENSION, WITH A ROLE AS COORDINATOR OF THE WORK OF THE VARIOUS SECURITY AND POLICE SERVICES IN RESPONSE TO THE BOMBING ITSELF AND OTHER TERRORIST THREATS. THE REACTION TO HIS APPOINTMENT IS ITSELF AN INDICATION OF THE INFIGHTING AND LACK OF COORDINATION AMONG THOSE SERVICES. COMPETING GOVERNMENT OFFICIALS HAVE LEAKED STORIES DESIGNED TO DAMAGE ANTONIETTI'S CREDIBILITY, AND THE PRESS HAS HAD A FIELD DAY WITH REPORTS DETAILING HIS TROUBLES ASSERTING HIS AUTHORITY. HIS APPOINTMENT HAS DRAWN MUCH CRITICISM IN THE CONGRESS, SOME OF IT BY MEMBERS OF MENEM'S OWN PARTY. HIS ROLE IN THE SECURITY STRUCTURE REMAINS UNDEFINED.

13. (C) EVEN WITHOUT BRICKBATS FROM HIS OWN COLLEAGUES, ANYONE IN ANTONIETTI'S SHOES WOULD HAVE A DAUNTING TASK. ARGENTINE POLICE SERVICES ARE DECENTRALIZED AND FRAGMENTED. THE FEDERAL POLICE HAVE JURISDICTION IN THE CITY OF BUENOS AIRES, SERVING AS THE LOCAL POLICE AND FIRE DEPARTMENT IN THE FEDERAL DISTRICT. THE NATIONAL GENDARMERIA IS RESPONSIBLE FOR THE NATION'S BORDERS AND RURAL AREAS. AIRPORTS ARE THE RESPONSIBILITY OF THE AIR FORCE MILITARY POLICE.

PROVINCES HAVE THEIR OWN POLICE DEPARTMENTS
OF MOSTLY ILL-TRAINED PERSONNEL WHO ARE POORLY PAID.
THE ENTIRE SECURITY APPARATUS HAS SERIOUS SYSTEMIC
PROBLEMS SUCH AS A LOW LEVEL OF INVESTIGATIVE
EXPERTISE, ANTIQUATED EQUIPMENT AND A MINIMAL CAPACITY
FOR FORENSIC ANALYSIS, VOLUMINOUS AND TIME-CONSUMING
PAPERWORK REQUIREMENTS, A WIDESPREAD LACK OF

SECRET

SECRET

PAGE 04 BUENOS 05821 03 OF 05 011945Z
INITIATIVE AND FOLLOW-THROUGH BY HAMSTRUNG
INVESTIGATORS, AND ENDEMIC (ALTHOUGH ON A LESSER SCALE
THAN IN OTHER COUNTRIES IN THE REGION) CORRUPTION.
ONE SPECIFIC EXAMPLE OF INEFFICIENCY -- AND DIRECTLY
RELEVANT TO THE PROBLEM OF TERRORISM -- IS THE
COUNTRY'S OUTDATED AND INEFFICIENT METHOD OF
IDENTIFYING PEOPLE ENTERING AND EXITING THE COUNTRY.
THERE IS NOW NO COMPUTERIZED SYSTEM FOR THAT PURPOSE
AND LITTLE COORDINATION EXISTS BETWEEN CUSTOMS, IN
CHARGE OF PASSENGER ENTRIES AND EXITS, AND THE AIR
FORCE POLICE, RESPONSIBLE FOR THE PHYSICAL SECURITY OF
AIRPORTS.

AND A LEGAL SYSTEM THAT DOESN'T HELP

14. (C) ARGENTINA'S LEGAL SYSTEM IS BURDENED BY A
MASSIVE
BACKLOG OF CASES, CUMBERSOME EVIDENTIARY
RULES, AND DELAYS DUE TO DILATORY AND INEFFICIENT
MAGISTRATES AND JUDGES. THE RULES OF CRIMINAL
PROCEDURE SLOW, AND OFTEN STYMIE, ANY COMPLEX

SECRET

NNNN

UNCLASSIFIED

SECRET UNCLASSIFIED

PAGE 01 BUENOS 05821 04 OF 05 011946Z
ACTION SCT-03

INFO	LOG-00	ACDA-17	ACDE-00	ARA-01	A-01	CA-02	CCO-00
	CIAE-00	OASY-00	DODE-00	DOEE-00	DS-00	EUR-01	FAAE-00
	FBIE-00	TEDE-00	INR-00	JUSE-00	LAB-01	L-01	ADS-00
	M-00	NSAE-00	NSCE-00	PM-00	P-01	SP-00	SSO-00
	SS-00	TRSE-00	USSS-00	ASDS-01	PMB-00	DSCC-00	PRMC-01
	DRL-09	G-00	/039W				

-----6E1016 011947Z /38

O 011947Z SEP 94
FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC IMMEDIATE 1786
INFO AMEMBASSY MONTEVIDEO
AMEMBASSY CARACAS
AMEMBASSY BRASILIA
AMEMBASSY ASUNCION
USCINCSO QUARRY HEIGHTS PM//SCCC//
AMEMBASSY SANTIAGO

S E C R E T SECTION 04 OF 05 BUENOS AIRES 005821

FOR AMBASSADOR-DESIGNATE WILCOX FROM AMBASSADOR CHEEK

E.O. 12356: DECL: OADR
TAGS: PGOV, PREL, PTER, AR
SUBJECT: SCENESETTER FOR COUNTER-TERRORISM TEAM VISIT
TO BUENOS AIRES, SEPTEMBER 5 - 6

INVESTIGATION. UNDER PRESENT LAW THERE IS LITTLE THE
SECRET

SECRET

PAGE 02 BUENOS 05821 04 OF 05 011946Z
POLICE CAN LEGALLY DO WITHOUT THE APPROVAL OF A
JUDGE. CONSEQUENTLY, POLICE OFTEN CIRCUMVENT JUDICIAL
AUTHORITY AND UNDERMINE ONGOING INVESTIGATIONS.
INVESTIGATIVE JUDGES ARE IMMEDIATELY APPOINTED UPON
THE COMMISSION OF A CRIME, AND POLICE AND PROSECUTORS
MUST OBTAIN HIS OR HER PERMISSION TO CONDUCT ANY
INVESTIGATION. WITNESSES CAN ONLY BE INTERVIEWED BY
THE MAGISTRATE AND TESTIMONY IS LABORIOUSLY
TRANSCRIBED ONTO WRITTEN RECORDS THAT QUICKLY BECOME
MASSIVE AND CUMBERSOME FOLIOS. CURRENT RULES OF
EVIDENCE, AMONG THE MOST RESTRICTIVE OF ANY IN THE

UNCLASSIFIED

WORLD, ARE A PARTICULAR HINDRANCE IN ANY INVESTIGATION OF CONSPIRACIES AND MORE COMPLEX CRIMES. THE POLICE CANNOT OBTAIN ADMISSABLE EVIDENCE BY PENETRATING CRIMINAL ORGANIZATIONS THROUGH THE USE OF UNDERCOVER AGENTS. NOR CAN PROSECUTORS COME TO TERMS WITH ONE CONSPIRATOR TO TESTIFY AGAINST ACCOMPLICES.

15. (U) THE GOA IS AWARE OF THE JUSTICE SYSTEM'S BUILT-IN INEFFICIENCIES AND IS MAKING AN EFFORT TO INTRODUCE REFORMS. JUSTICE MINISTER BARRA HAS RECENTLY SPOKEN OUT ON THE NEED TO SPEED UP LEGAL PROCEDURE BY EXTENDING THE USE OF ORAL TRIALS, NOW USED TO A LIMITED EXTENT IN PARTS OF THE COUNTRY. BARRA NOTED THAT THERE ARE CURRENTLY ONE MILLION PENDING CASES IN BUENOS AIRES ALONE, A NUMBER THAT COULD GROW TO THREE MILLION BY 1998. ALSO, LEGISLATION IS PENDING TO ALLOW THE POLICE TO USE INFORMANTS AND PROSECUTORS TO MAKE PLEA BARGAINS. IN ADDITION, THE GOVERNMENT HAS INTRODUCED AN ANTI-TERRORISM BILL IN RESPONSE TO THE AMIA BOMBING.

SECRET

SECRET

PAGE 03 BUENOS 05821 04 OF 05 011946Z
THE MEASURE WOULD PROVIDE FOR STIFF SENTENCES FOR CRIMINAL ACTS COMMITTED WITH "POLITICAL, RACIAL, OR RELIGIOUS" MOTIVES AND WOULD CRIMINALIZE PARTICIPATION

IN ORGANIZATIONS WHICH HAVE AS THEIR OBJECTIVE THE IMPOSITION OF THEIR IDEAS THROUGH FORCE OR INTIMIDATION. THE PROPOSAL IS NOW STALLED IN THE SENATE, WHERE SOME MEMBERS HAVE OBJECTED TO THE WORDING OF THE MEASURE, FEARING THAT IT MIGHT BE USED BY THIS OR FUTURE GOVERNMENTS TO LIMIT LEGITIMATE POLITICAL EXPRESSION.

THE MOST VULNERABLE -- ARGENTINA'S JEWS

16. (C) IF ARGENTINA IS VULNERABLE TO TERRORISM, THE ARGENTINES MOST THREATENED ARE THE COUNTRY'S JEWS. A THRIVING COMMUNITY OF OVER 300,000 PEOPLE, ARGENTINA'S JEWS ARE WELL INTEGRATED INTO THE REST OF SOCIETY AND GENERALLY HAVE LIVED FREE OF ANY SIGNIFICANT DISCRIMINATION. IN AN OVERWHELMINGLY CATHOLIC COUNTRY, JEWS ARE ABLE TO FREELY PRACTICE THEIR FAITH

UNCLASSIFIED

AND ARE ACTIVE IN GOVERNMENT AND HOLD LEADING POSITIONS IN MANY OF THE PROFESSIONS. UNCLASSIFIED

17. (C) THE ATTACK ON THE AMIA BUILDING WAS AN ENORMOUS BLOW TO THE MORALE OF THIS PART OF ARGENTINE SOCIETY. IF THE BOMBERS' AIM WAS TO INSTILL FEAR AND UNCERTAINTY AMONG JEWS, THE ATTACK WAS PERFECTLY
SECRET

SECRET

PAGE 04 BUENOS 05821 04 OF 05 011946Z
TARGETTED -- DESTROYING BOTH THE LIVES OF SOME OF THOSE MOST DEDICATED TO THE WORK OF THE COMMUNITY ALONG WITH AN IRREPLACEABLE REPOSITORY OF MATERIALS THAT DOCUMENTED THE HISTORY OF JEWS IN THIS COUNTRY.

18. (C) THE UNOFFICIAL LEADER OF THE JEWISH COMMUNITY IN ARGENTINA, MR. RUBEN BERAJA, HAS GRADUALLY INTENSIFIED HIS PUSH FOR MORE EFFECTIVE ACTION BY THE GOVERNMENT IN RESPONSE TO THE AMIA BOMBING. IN HIS STRONGEST STATEMENT TO DATE, ON AUGUST 29 MR. BERAJA CRITICIZED THE GOA'S HANDLING OF INVESTIGATION, CITING LACK OF COORDINATION AND A "CLIMATE OF COMPETITION" AMONG THE SECURITY SERVICES CHARGED WITH THE INVESTIGATION. MR. BERAJA REITERATED HIS CALL FOR CLOSER INVESTIGATION INTO THE POSSIBLE LOCAL SOURCES OF SUPPORT FOR THE ATTACK. TO DATE, THE GOA HAS MAINTAINED THAT IT SEES NO SIGNS THAT THE BOMBING HAS INDIGENOUS SOURCES.

RECOMMENDATIONS

SECRET

NNNN

UNCLASSIFIED

SECRET UNCLASSIFIED

PAGE 01 BUENOS 05821 05 OF 05 011946Z
ACTION SCT-03

INFO	LOG-00	ACDA-17	ACDE-00	ARA-01	A-01	CA-02	CCO-00
	CIAE-00	OASY-00	DODE-00	DOEE-00	DS-00	EUR-01	FAAE-00
	FBIE-00	TEDE-00	INR-00	JUSE-00	LAB-01	L-01	ADS-00
	M-00	NSAE-00	NSCE-00	PM-00	P-01	SP-00	SSO-00
	SS-00	TRSE-00	USSH-00	ASDS-01	PMB-00	DSCC-00	PRMC-01
	DRL-09	G-00	/039W				

-----6E101B 011946Z /38

O 011947Z SEP 94
FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC IMMEDIATE 1787
INFO AMEMBASSY MONTEVIDEO
AMEMBASSY CARACAS
AMEMBASSY BRASILIA
AMEMBASSY ASUNCION
USCINCSO QUARRY HEIGHTS PM//SCCC//
AMEMBASSY SANTIAGO

S E C R E T SECTION 05 OF 05 BUENOS AIRES 005821

FOR AMBASSADOR-DESIGNATE WILCOX FROM AMBASSADOR CHEEK

E.O. 12356: DECL: OADR
TAGS: PGOV, PREL, PTER, AR
SUBJECT: SCENESETTER FOR COUNTER-TERRORISM TEAM VISIT
TO BUENOS AIRES, SEPTEMBER 5 - 6

19.

SECRET

SECRET

PAGE 02 BUENOS 05821 05 OF 05 011946Z
(S) IN OUR VIEW, THE WILCOX VISIT SHOULD:

-- IN PUBLIC AND IN PRIVATE, UNDERLINE U.S. SUPPORT
FOR THE GOA'S EFFORTS TO SOLVE THE ISRAELI EMBASSY AND
AMIA BOMBINGS AND TO PREVENT FUTURE ACTIONS;

-- IDENTIFY AREAS WHERE THE USG COULD PROVIDE FURTHER
ASSISTANCE, ESPECIALLY IN THE AMIA CASE, AND EXPRESS
WILLINGNESS TO RESPOND FAVORABLY TO GOA REQUESTS FOR
HELP;

UNCLASSIFIED

UNCLASSIFIED

B1

-- SET THE STAGE FOR FOLLOW-UP MULTILATERAL MEETINGS
BETWEEN REGIONAL GOVERNMENTS, TO INCLUDE USG
PARTICIPANTS.

CHEEK

SECRET

NNNN

UNCLASSIFIED